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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,864	04/02/2001	Robert Joseph Ledoux	004600	7224

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APPLIED MATERIALS, INC.
2881 SCOTT BLVD. M/S 2061
SANTA CLARA, CA 95050

EXAMINER

NGUYEN, KIET TUAN

ART UNIT

PAPER NUMBER

2881

DATE MAILED: 05/22/2003

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APP 8:22
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Please find below and/or attached an Office communication concerning this application or proceeding.

COMPUTER ENTERED

MAY 29 2003

2003 MAY 27 PM 1:00

Office Action Summary

Application No.

09/822,864

Applicant(s)

Ledoux et al.

Examiner

K. NGUYEN

Group Art Unit

2881

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 30 days MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 04-28-03
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-9 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☐ Claim(s) _____ is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☒ Claim(s) 1-9 are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 8
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Applicant's election with traverse of Group II including claims 3-9 in Paper No. 7 is acknowledged. The traversal is on the ground(s) that the action does not indicate the reasons that make claims to be distinct. This is not found persuasive because the Group I including claims 1-2 drawn to a method and/or system for controlling a waveform, while the Group II including claims 3-9 drawn to a method and/or scan controller for controlling the current of the magnet field in a magnet winding of a charged particle beam system, since the waveform of the system (for example: the waveform of the sound, the image etc. ...) and the waveform of the current of a magnetic winding in the charge particle beam apparatus are different applied controlling devices, thus the Groups I and II are distinct.

The requirement is still deemed proper and is therefore made FINAL.

This application is in condition for allowance except for the presence of claim 1-2 to an invention non-elected with traverse in Paper no. 7. Applicant is given ONE MONTH or THIRTY DAYS from the date of this letter, whichever is longer, to cancel the noted claims or take other appropriate action (37 CFR 1.144). Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's Amendment and pass the case to issue. Extensions of time under 37 CFR 1.136(a) will not be permitted since this application will be passed to issue.

The prosecution of this case is closed except for consideration of the above matter.

Reasons for indicating allowable subject matter

The prior art fails to disclose a method and/or scan controller for a charge particle beam system having the limitation(s) as recited in part g) of claim 3; part VI) of f) of claim 6; or means for comparing a period of a feedback signal with a period of a target waveform to produce an error signal representing the difference in the waveforms of the periods and means for modifying subsequent periods of a scan drive signal to reduce the error signal as recited in claim 9.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner *Kiet T. Nguyen* whose telephone number is (703) 308-4855.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9319.

K.T.N/Primary
May 19, 2003



KIET T. NGUYEN
PRIMARY EXAMINER